AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

LIBERTARIAN PARTY OF ERIE COUNTY,
MICHAEL KUZMA, RICHARD COOPER,
GINNY ROBER, PHILIP M. MAYOR,
MICHAEL REBMANN, EDWARD L. GARRETT

Plaintiff(s)

v.

ANDREW M. CUOMO, as Governor,
ERIC T. SCHEIDERMAN, as Attorney General
JOSEPH A. D'AMICO, as Superintendent

Defendant(s)

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LIBERTARIAN PARTY OF ERIE COUNTY,
OR OF THE COUNTY,
OR OF TH

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

ANDREW M. CUOMO The Capitol Albany, New York 12224

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

JAMES OSTROWSKI Attorney for Plaintiffs 63 Newport Ave. Buffalo, New York 14216 (716) 435-8918

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

JUL 2 1 2015

Michigantire of Clerk or Deputy Clerk

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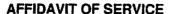
Civil Action No.

PROOF OF SERVICE (This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))							
was re	This summons for (name of individual an ceived by me on (date)	d title, if any)	lichael Pick	e++			
	☐ I personally served the summons of	on the individual at (pla	ce)				
			On (date)				
	☐ I left the summons at the individua	l's residence or usual	place of abode with (nam	ne)			
		and the second of	uitable age and discretion				
	on (date), and mailed a copy to the individual's last known address; or						
	I served the summons on (name of in designated by law to accept service of	ndividual) Denise	Gagnon (name of organization)	, who is			
	As Governor		on (date) 111215	; or			
	☐ I returned the summons unexecute						
	Other (specify):			A STATE OF THE STA			
	My fees are \$ for tra	vel and \$	for services, for a t	total of \$ 0.00 ·			
	I declare under penalty of perjury that	this information is tru	e.				
Date:	11/12/15		WW JUN Server's signatur	re			
		Mi	Charl Picketh Printed name and	title			
		299 H	amilton street Server's address	, Albany NY-12209			

Additional information regarding attempted service, etc:

James Ostrowski, Esq.

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK





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Index no: 15 CV 654-G Filed Date: 07/21/2015 Office No:

Plaintiff(s):

LIBERTARIAN PARTY OF ERIE COUNTY, MICHAEL KUZMA, RICHARD

COOPER, GINNY ROBER, PHILIP M. MAYOR, MICHAEL REBMANN, EDWARD L.

GARRETT

-vs-

Defendant(s):

ANDREW M. CUOMO, AS GOVERNOR, ET AL

STATE OF NEW YORK COUNTY OF ALBANY

SS.

Michael Pickett, the undersigned, being duly sworn, deposes and says: that the deponent is not a party to this action, is over 18 years of age and resides in the STATE OF NEW YORK.

On 11/12/2015 at 10:50 AM, deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT on ANDREW M. CUOMO, AS GOVERNOR at THE CAPITOL, ALBANY, NY 12224 in the manner indicated below:

By delivering a true copy of each to and leaving with **DENISE GAGNON**, **DESIGNATED AGENT** who stated he/she is duly authorized to accept legal documents.

A description of the **Defendant**, or other person served on behalf of the **Defendant** is as follows:

Sex	Color of skin/race	Color of hair	Age(Approx)	Height(Approx)	Weight(Approx)		
Female	Caucasian	Brown	38-40	5Ft9In	150 lbs		
Other Features:							

Sworn to and subscribed before me on 11/16/15

Notary Public

[] Daniel OLeary Notary Public, State of NY No. 01OL6293343 Qualified in Schenectady County Commission Expires 12/9/2017

M Sherie A. Searles Notary Public, State of NY No. 01SE6179623 Qualified in Albany County Commission expires 12/17/15

[] Kerry Gunner Notary Public. State of NY No. 01GU5038710 Qualified in Albany County Commission expires 02/06/19 Michael Pickett

Lightning Legal Services. LLC

P. O. Box 9132 Albany, NY 12209

518.463.1049

James Ostrowski. Esq. 63 Newport Ave. Buffalo, NY 14216

